

ENTERED

September 17, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

BOUCHARD TRANSPORTATION CO
INC, *et al*,

Plaintiffs,

VS.

TEXAS GENERAL LAND OFFICE, *et al*,

Defendants.

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CIVIL ACTION NO. 2:17-CV-363

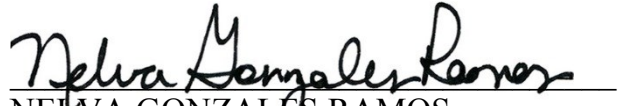
ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

On August 23, 2018, United States Magistrate Judge Jason B. Libby issued his Memorandum and Recommendation (M&R, D.E. 83), recommending that this Court deny Plaintiffs' motions for summary judgment (D.E. 48, 49) against Claimants, The Estate of Zachariah Jackson and the Estate of Du'Jour Re'Quan Vanterpool, respectively, regarding claims for pre-death pain and suffering. The M&R also recommends denial of the Vanterpool Estate's motion to strike Plaintiff's expert report. The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge's Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge's memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge's memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge's M&R (D.E. 83), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the motions for summary judgment (D.E. 48, 49) are **DENIED** and Claimant The Estate of Vanterpool's motion to strike (D.E. 64, pp. 6-8) is **DENIED**.

ORDERED this 17th day of September, 2018.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE